

PETITIONER: CHRISTIAN FELLOWSHIP CHURCH, INC.

ORDINANCE NO. R-2014-19 Amended TAX CODE(S) 82-06-29-021-065.009-029

AN ORDINANCE TO REZONE CERTAIN REAL ESTATE IN THE CITY OF EVANSVILLE,  
STATE OF INDIANA, MORE COMMONLY KNOWN AS: 701 - 721 LINE STREET

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF EVANSVILLE, INDIANA, AS  
FOLLOWS, TO WIT:

Section 1. That Ordinance No. G-82-51, being the Municipal Code of the City of Evansville,  
Indiana, 1982, and more particularly Title XV, Chapter 153, by making certain changes in Atlas 1,  
which is made part of said section with respect to the following described real estate located in  
the City of Evansville, Vanderburgh County, State of Indiana:

Lots 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, and 22 in Block 15 in the Southern Enlargement of the  
City of Evansville, as per plat thereof, recorded in Plat Book A, pages 5, 6, and 7 and transcribed  
of record in Plat Book E, pages 20, 21, 22, and 23 in the Office of the Recorder of Vanderburgh  
County, Indiana.

by changing the zoning classification of the above-described real estate from R3 to M1 and said  
real estate is hereby so rezoned and reclassified.

Section 2. The Director of the Area Plan Commission of Evansville and Vanderburgh County is  
hereby authorized and directed, upon the enactment and approval of this ordinance, to cause the  
change to be made on said Atlas 1 as set out in Section 1 of this Ordinance, and to make  
notation in ink thereon of reference to the number of this ordinance and the date of final  
publication of the amendatory ordinance after its passage and approval; however, failing to do so  
shall not invalidate this Ordinance.

Section 3. This ordinance shall be in full force and effect from and after its passage by the  
Common Council, its approval by the Mayor, and its publication as required by law, which  
publication is now ordered.

Section 4. The subject property herein rezoned shall be used and developed only in accordance  
with the use and development commitment which is incorporated as part of this Petition for  
Rezoning and recorded in the office of the Recorder of Vanderburgh County, Indiana on  
October 16, 2014 at Instrument No: 2014R00023278.  
No improvement location permits shall be issued unless the proposed use is in compliance with  
said recorded use and development commitment.

Passed by the Common Council of Evansville, Indiana on this 13 day of October  
2014

I affirm, under the penalties for perjury, that I have  
taken reasonable care to redact each Social Security  
number in this document, unless it is required by law.

*[Signature]*

**FILED**

OCT 06 2014

*[Signature]*  
CITY CLERK

  
PRESIDENT

  
ATTEST  
  
City Clerk

Presented to me, the undersigned, City Clerk of the City of Evansville, Indiana, to the Mayor of said city, the 15 day of October, 2014.

  
  
City Clerk

Having examined the foregoing Ordinance, I do now, as Mayor of the City of Evansville, Indiana, approve said Ordinance, and return the same to the City Clerk this 15th day of October, 2014, at 2:15 o'clock pm.

  
Mayor

THIS INSTRUMENT PREPARED BY: Justin Shofstall, ANDY EASLEY ENGINEERING, INC.  
1133 W. Mill Road, Suite 205, Evansville, IN 47710.(812) 424-2481  
I affirm, under the penalties for perjury, that I have taken reasonable care to redact each Social Security number in this document, unless required by law.

## **USE AND DEVELOPMENT COMMITMENT**

WHEREAS, the undersigned, Mike Deeg of Christian Fellowship Church, Incorporated, as Petitioner and as Owner of certain real estate situated in Vanderburgh County, Indiana, commonly described as 701-721 Line Street, Evansville, Indiana, more particularly described as follows:

Lots 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, and 22 in Block 15 in the Southern Enlargement of the City of Evansville, as per plat thereof, recorded in Plat Book A, pages 5, 6, and 7 and transcribed of record in Plat Book E, pages 20, 21, 22, and 23 in the Office of the Recorder of Vanderburgh County, Indiana.

WHEREAS, the Real Estate is currently classified as an R3 zoning district under the Code of Ordinances of Vanderburgh County, Zoning Code (hereinafter the "Zoning Code") and is so indicated on the zoning maps maintained by the staff of the Evansville-Vanderburgh County Area Plan Commission; and

WHEREAS, Petitioner has requested that the Real Estate be reclassified to zoning district M-1; and

WHEREAS, Petitioner is desirous of accommodating possible concerns of the surrounding property owners by making a written commitment concerning the use and development of the Real Estate pursuant to I.C. 36-7-4-613;

NOW, THEREFORE, in consideration of the foregoing, Petitioner makes the following use and development commitment concerning the use of the Real Estate:

1. The Real Estate shall primarily be used for charitable, philanthropic, or non-profit health care service uses and any secondary or complimentary uses or services from the following:
  - (a) All uses permitted under the Use Group 5 set forth in the Zoning Code;
  - (b) All uses permitted under the Use Group 7 set forth in the Zoning Code;
  - (c) All uses permitted under the Use Group 8 set forth in the Zoning Code; except the following uses: Package Liquor Stores, Pawnshops, and Nightclubs .
  - (d) All uses permitted under the Use Group 9 set forth in the Zoning Code; except the following uses: Riverboat Gaming Operations.
  - (e) All uses permitted under the Use Group 10 set forth in the Zoning Code; except the following uses: Automobile/Motorcycle Repair, Bottling Plants; Dry Cleaning, Dyeing, Laundry, or Rug cleaning plants; Cold storage or Frozen food plants; Ice storage plants; and Storage Warehouses.
  - (f) All uses permitted under the Use Group 11 set forth in the Zoning Code; except the following uses: Flea Markets; Boat, Trailer, and Truck Repair.

- (g) Uses permitted under the Use Group 19 for Child Care Center facilities only as set forth in the Zoning Code;

The following Special Uses only:

- (a) Special Use 1 - Schools
- (b) Special Use 2 - Churches and church operated incidental/ accessory facilities (on same site), including Sunday schools, child care, preschools, adult day care, offices, soup kitchens, shelters, and similar uses.
- (c) Special Use 3 - Hospitals, nursing homes, convalescent or custodial care centers.
- (d) Special Use 5 - Charitable and philanthropic institutions.
- (e) Special Use 7 - Public parks or public recreational facilities.
- (f) Special Use 11 - Bus or railroad passenger stations, garages, or lots.
- (g) Special Use 13 - Electronic message boards and/or signs with flashing, moving, rotating, or intermittent lights, or animated messages.
- (h) Special Use 14 - Public buildings and public uses other than permitted uses.
- (i) Special Use 25 - Use Group 19
- (j) Special Use 27 - Uses desiring outside storage, displays, sales.

3. All commitments and undertakings herein expressed shall be binding on the Petitioner and Owners and the Petitioner's and Owner's heirs, legal representatives, successors and assigns, and shall run in favor of the Area Plan Commission of Evansville-Vanderburgh County and all the Owners of the real estate lying within the radius of one (1) mile from the real estate described and shall be enforced by invoking any legal, equitable or special remedy, including specific performance, injunction or other equitable relief pursuant to the manner of enforcement as set forth in I.C. 36-7-4-613, 36-7-4-1013 and 36-7-4-1014. If it is necessary to initiate administrative or judicial proceedings to enforce any such commitment or undertaking, the person or entity obtaining enforcement in such proceedings shall also recover its reasonable attorneys' fees and costs of suit from the undersigned.
4. The commitments and undertakings herein made and expressed shall terminate, expire and be of no further force or effect if the Real Estate should be rezoned due to the filing of some subsequent petition to amend the zoning classification of the Real Estate.
5. This Commitment shall be recorded in the office of the Recorder of Vanderburgh County, Indiana, and shall take effect upon the adoption of the zoning classification of the Real Estate from R3 to M-1 District with a Use and Development Commitment.

IN WITNESS WHEREOF, this Use and Development Commitment is hereby made and entered into this 8th day of August, 2014, by Mike Deeg of Christian Fellowship Church, Incorporated as Petitioner and Owner, for the purposes set forth herein.

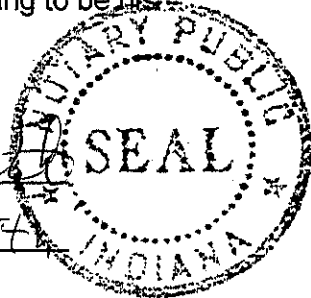
Mike A Deeg  
Mike Deeg

STATE OF INDIANA )  
COUNTY OF ) SS:

Before me, a Notary Public in and for said County and State, personally appeared the within named Mike Deeg and acknowledged the execution of the above and foregoing to be his voluntary act and deed.

WITNESS my hand and seal this 8th day of August, 2014.

Patricia E Keith  
Notary Public  
Patricia E Keith  
Printed Name



MY COMMISSION EXPIRES: 11/22/2014

Residence of Notary Public: Vanderburgh

This Instrument Prepared by: Justin Shofstall, ANDY EASLEY ENGINEERING, INC. 1133 W. Mill Rd, Evansville, IN 47710 (812) 424-2481  
I affirm, under the penalties for perjury, that I have taken reasonable care to redact each Social Security number in this document, unless required by law.

PERMANENT RECORD

VERIFIED PETITION FOR REZONING

2014-23

-PC

ORDINANCE NO. R-2014-19 AMENDED

COUNCIL DISTRICT: Ward 4- Connie Robinson

PETITIONER Christian Fellowship Church, Incorporated - Mike Deeg PHONE 812-760-8336

ADDRESS 4100 Millersburg Road, Evansville, IN ZIP CODE 47725

OWNER OF RECORD Christian Fellowship Church, Incorporated PHONE 812-867-6464

ADDRESS 4100 Millersburg Road, Evansville, IN ZIP CODE 47725

1. Petition is hereby made for the amendment of the "Zoning Maps" of the Area Plan Commission of Evansville and Vanderburgh County, pursuant to the Indiana Code and the Municipal Code of Evansville.
2. Premises affected are on the West side of Line Street a distance of 0 feet West (N.S.E.W.) of the corner formed by the intersection of Bellemeade and Line Street  
Registered Neighborhood Association (if applicable) none (as per Clerk and APC)

LEGAL DESCRIPTION:

SUBDIVISION Southern Enlargement of Evansville BLOCK 15 LOT NO. 12 through 22  
(where applicable - if not in a subdivision, insert legal here or attach to ordinance)

3. The commonly known address is 701- 721 Line Street
4. The real estate is located in the Zone District designated as R3
5. The requested change is to (Zone District) M1
6. Present existing land use is ball field lawn space for existing Impact Ministries
7. The proposed land use is New Medical and Dental health care facilities operated by Impact Ministries
8. Utilities provided: (check all that apply)  
City Water xx Electric xx Gas xx Storm Sewer xx  
Sewer: Private \_\_\_\_\_ Public \_\_\_\_\_ Septic \_\_\_\_\_
9. All attachments are adopted by reference.
10. The owner, or attorney for the owner, hereby certifies that the owner of record shown above owns 50% or more of the area of the above described real estate. I affirm under the penalties for perjury that the foregoing representations are true.

(REQUIRED) Signatures:

DATE 8/8/14 PETITIONER Michael A. Deeg Executive Pastor  
(when signed) PRINTED NAME Mike Deeg, Christian Fellowship Church, Inc.

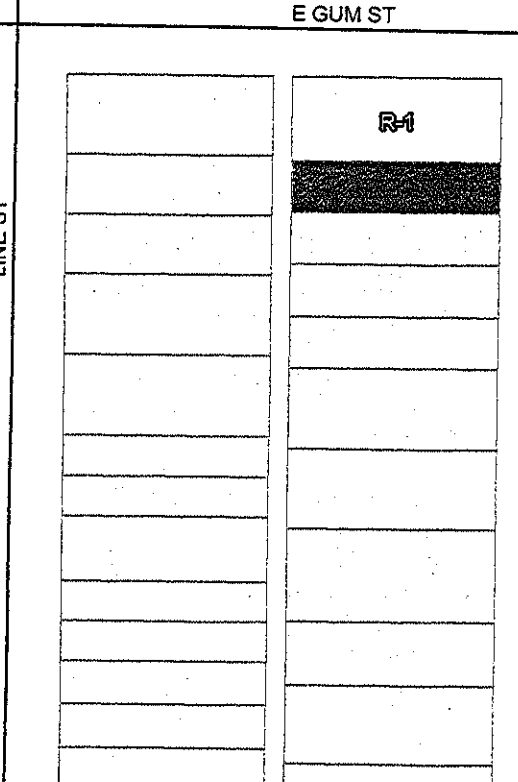
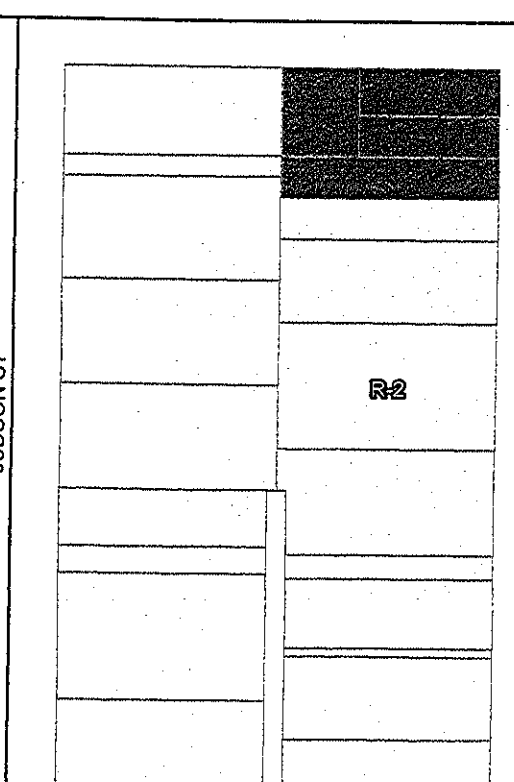
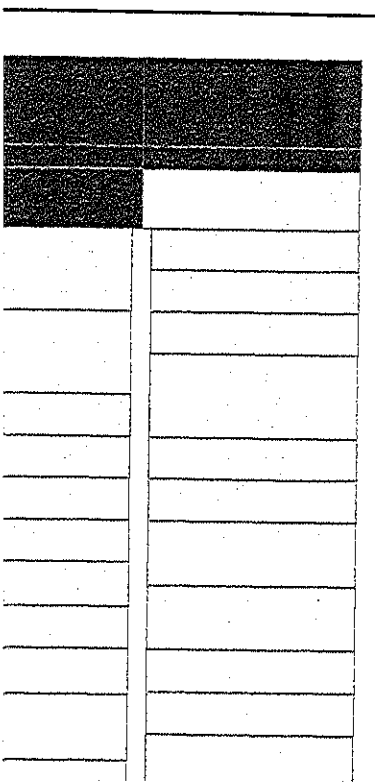
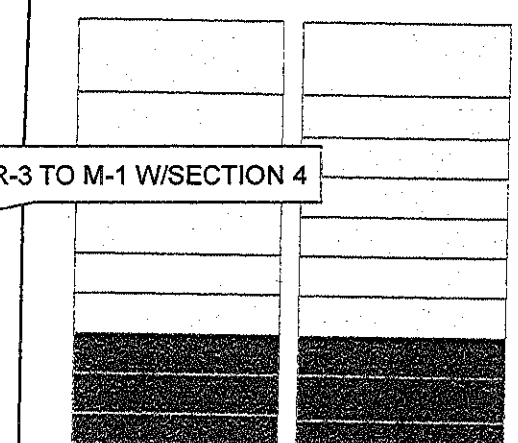
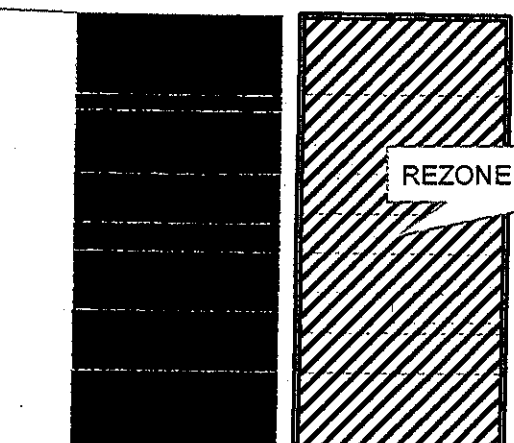
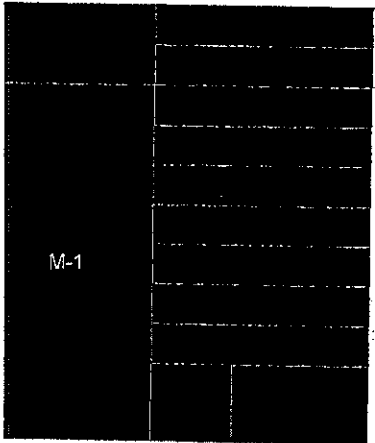
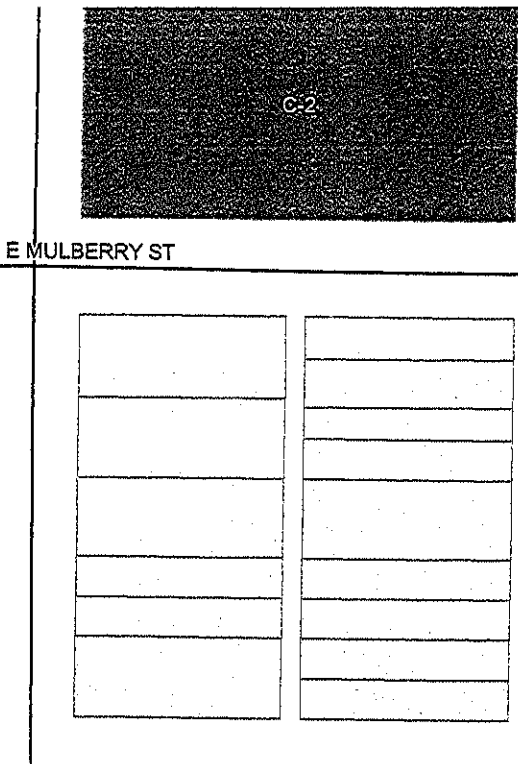
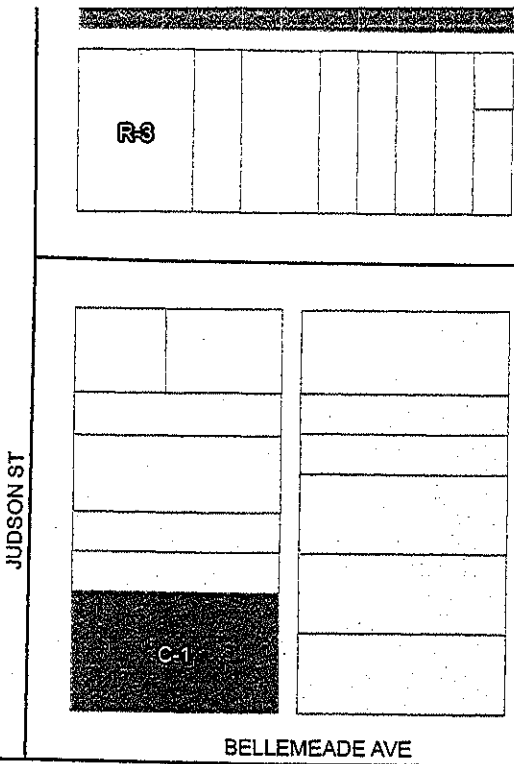
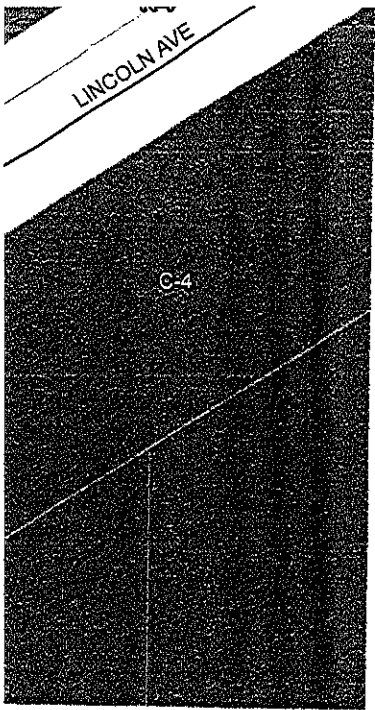
DATE 8/8/14 OWNER OF RECORD Michael A. Deeg Executive Pastor  
(when signed) PRINTED NAME Mike Deeg, Christian Fellowship Church, Inc.

REPRESENTATIVE FOR PETITIONER NAME Andy Easley Engineering, Inc.  
(Optional) ADDRESS/ZIP 1133 West Mill Road; Suite 205; Evansville, IN 47710  
PHONE 812-424-2481

FILED

OCT 06 2014

Jana Widner  
CITY CLERK



**CHRISTIAN FELLOWSHIP CHURCH**  
**Adjacent Property Owners**  
**Rezoning to M-1 – 701-721 Line Street.**  
**#9724 August 7, 2014**

Tax Code:82-06-29-020-069-.001-029  
Liberty Baptist Housing Authority Inc.  
725 Liberty Way  
Evansville, IN 47713

Tax Code:82-06-29-021-062.014-029  
600 Eight St. LLC  
6301 Old Boonville HWY  
EVANSVILLE, IN 47715

Tax Code: 82-06-29-021-062.027-029  
Ohio Valley Dialysis Center Inc.%Tax Dept.  
100 Galleria Pkwy Suite 1200  
Atlanta, GA 30339

Tax Code:82-06-29-021-063.001-029  
Albion Fellows Bacon Center  
PO Box 3164  
EVANSVILLE, IN 47731

Tax Code:82-06-29-021-063.008-029  
Steven D. Prow  
6403 Folsomville Rd.  
Boonville, IN 47601

Tax Code:82-06-29-021-055.004-029  
Housing Authority, City of Evansville  
500 Court St.  
EVANSVILLE, IN 47708

Tax Code:82-06-29-021-057.001-029  
Esther L. Fentress  
700 Line St.  
EVANSVILLE, IN 47713

Tax Code: 82-06-29-021-057.002-029  
Marvin L. Thomas  
704 Line St.  
EVANSVILLE, IN 47713

Tax Code:82-06-29-021-057.003-029  
Mark A. & Rhonda FH Johnson  
708 Line St.  
EVANSVILLE, IN 47713

Tax Code:82-06-29-021-057.004-029  
Habitat of Evansville Inc.  
1401 N Fares Ave.  
EVANSVILLE, IN 47711

Tax Code:82-06-29-021-057.005-029  
G&G Homes LLC  
PO Box 156  
Santa Claus, IN 47579

Tax Code:82-06-29-021-057.006-029  
Tax Code 82-06-29-021-057.007-029  
Loren Bryan Compton  
907 E Mulberry St.  
EVANSVILLE, IN 47713

Tax Code:82-06-29-021-057.008-029  
City of Evansville  
1 NW M.L. King Jr. Blvd  
EVANSVILLE, IN 47708

Tax Code:82-06-29-021-059.001-029  
Line St. Church of Christ  
756 Line St.  
EVANSVILLE, IN 47713

Tax Code:82-06-29-021-067.032-029  
City of Evansville Dept. of Redevelopment  
1 NW ML King Jr. Blvd  
EVANSVILLE, IN 47708

Tax Code:82-06-29-021-067.034-029  
City of Evansville  
1 NW M.L. King Jr. Blvd Room 321  
EVANSVILLE, IN 47708

Tax Code: 82-06-29-021-067.001-029  
Viola M. Johnson  
8066 Outer Lincoln Ave.  
EVANSVILLE, IN 47630

Tax Code:82-06-29-021-066.001-029  
Board of Public Works  
1 NW M.L King Blvd Rm 321  
Evansville, IN 47708

Tax Code:82-06-29-021-069.024-029  
Raymond A. Miller Rev Trust  
Frederick R. Folz, Successor  
PO Box 657  
EVANSVILLE, IN 47704

Tax Code:82-06-29-020-070.019-029  
Raymond A. Miller Rev Trust  
PO Box 657  
EVANSVILLE, IN 47711

Tax Code: 82-06-29-020-070.001-029  
David E. Clark  
1 Mulberry Place  
Evansville, IN 47713



90-12386

DEED DRAWER 5

CARD 7079

SPECIAL WARRANTY DEED

THIS INDENTURE WITNESSETH, That The City of Evansville, Indiana, a municipal corporation, acting by and through its Department of Redevelopment, of Vanderburgh County, Indiana, GRANTS AND CONVEYS to Christian Fellowship Church, Incorporated, of Vanderburgh County, Indiana, for the sum of One Dollar (\$1.00) and other valuable consideration, the following described real estate located in Vanderburgh County, Indiana:

Lots 12, 13, 14, 15, 16, 17, 18, 19, 20, 21 and 22 in Block 15 in the Southern Enlargement of the City of Evansville, as per plat thereof, recorded in Plat Book A, pages 5, 6 and 7 and transcribed of record in Plat Book E, pages 20, 21, 22 and 23 in the Office of the Recorder of Vanderburgh County, Indiana.

Subject to all building and use restrictions of record and all existing easements, highways and rights of way.

Subject to the second installment of real estate taxes for the year 1988, due and payable in November, 1989, and all subsequent taxes, all of which the Grantee herein assumes and agrees to pay.

Grantor herein only warrants to the Grantee herein that the title to the above described real estate is free and clear of any and all liens, encumbrances or other claims of every description imposed by the Grantor herein or suffer to accrue by the Grantor herein.

The Grantor herein hereby assigns and transfers to the Grantee herein the benefit of all warranties in the chain of title to the above described real estate and any and all rights which may now exist or which may hereafter accrue by reason of or on account of said warranties.

The undersigned persons executing this Deed on behalf of Grantor herein represent and warrant that they have been fully empowered by proper resolution of the Redevelopment Commission of Evansville, Indiana to execute and deliver this Deed and that all necessary requirements and resolutions for the making of such conveyance has been taken and done.

IN WITNESS WHEREOF, the said City of Evansville, Indiana, a municipal corporation, acting by and through its Department of Redevelopment, has caused the execution hereof by its duly authorized officers this 11 day of December, 1989.

RECEIVED  
FOR RECORD

JUN 21 3 26 PM '90

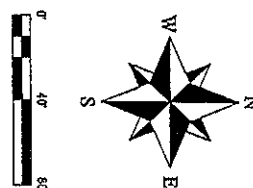
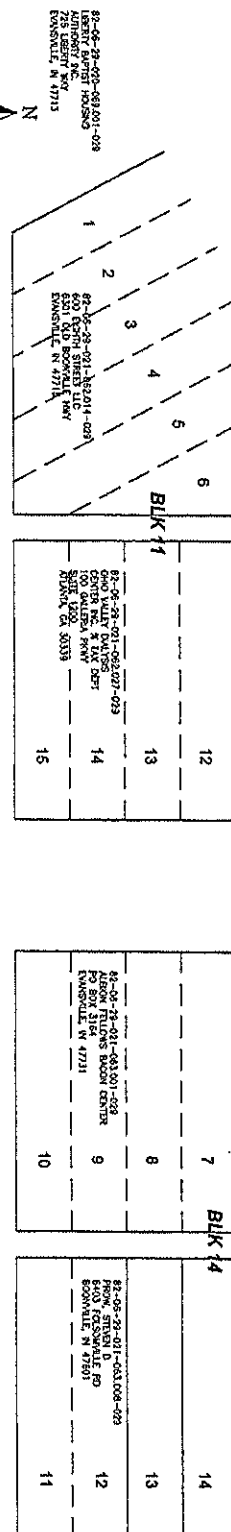
BOB STEELE  
RECORDER OF  
VANDERBURGH COUNTY

THE CITY OF EVANSVILLE, INDIANA,  
ACTING BY AND THROUGH ITS DEPARTMENT  
OF REDEVELOPMENT

By H. Abrams  
Howard Abrams, President

ATTEST:

By Rexig Fahn  
Rexig Fahn, Secretary



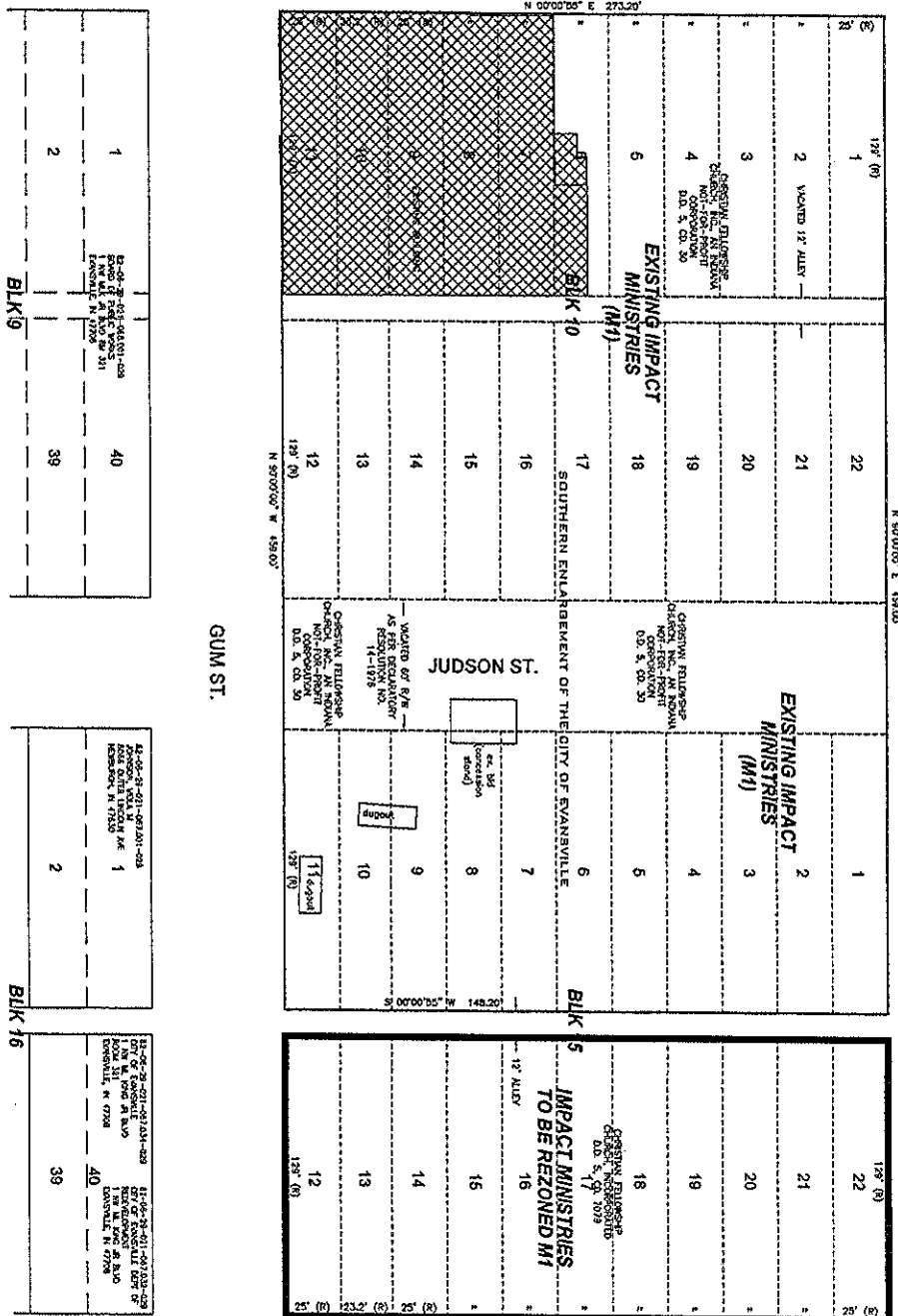
82-06-29-070-069.001-028  
LIBERTY BAPTIST HOUSE  
AUTHORITY INC.  
725 LIBERTY WAY  
EVANSVILLE, IN 47715

(F) RECORD DIED DIMENSION  
(W) MEASURED DIMENSION  
(C) CALCULATED DIMENSION  
IND.=FOLD  
I.D.=INSIDE DIAMETER  
O.D.=OUTSIDE DIAMETER  
A.G.=ABOVE GRADE  
B.G.=BELOW GRADE

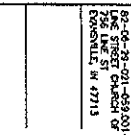
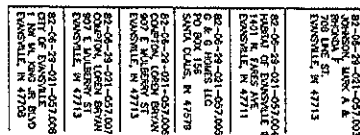
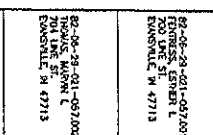
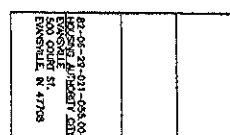
82-06-29-021-075.001-02  
CLARK, DAVID E  
1 MULBERRY PL  
EVANSTON, IL 60120


62-05-28-021-070,019-029  
MILLER, RONALD A PEY TRUS  
PO BOX 457 DR  
DUNSTABLE, N 47741-1069

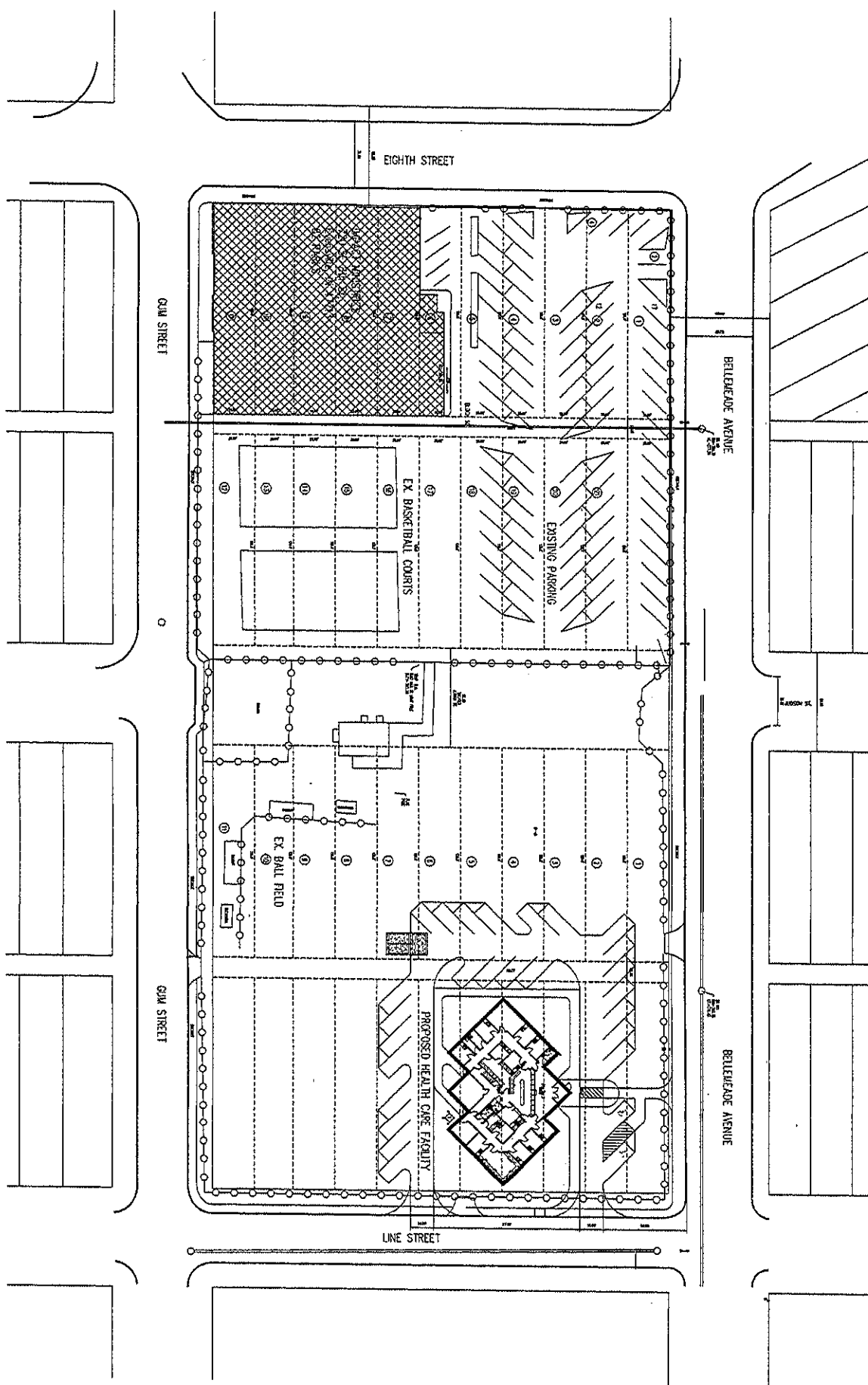
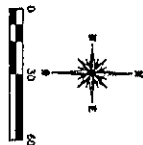
82-06-29-021--069,024--028  
MILLER, RAYMOND A RIV TRACT  
FREDERICK R FOLZ SUCCESSOR  
PO BOX 657  
EVANSVILLE, IN 47704



LINE ST.



SHEET NO:  C1.0	DATE: 05-05-14	DRAWN BY: JCS	EXISTING CONDITIONS <b>IMPACT MINISTRIES</b> 701-721 LINE ST EVANSVILLE, IN		<b>ANDY EASLEY ENGINEERING, INC</b> CIVIL ENGINEERING (812) 424-2481 LAND SURVEYING 1133 WEST MILL ROAD EVANSVILLE, INDIANA 47710
	PROJECT NO: 9724	CHECKED BY: DDD			
	REVISIONS	SCALE: AS NOTED			



SHEET NO: <b>C1.1</b>	DATE: 8/7/14	DRAWN BY: TA
	PROJECT NO.: 8724	CHECKED: ADW
	REVISIONS:	SCALE: 1"=30'
	<b>Rezoning Site Plan IMPACT HEALTH CENTER JPM Resources Evansville, Indiana</b>	
		<b>ANDY EASLEY ENGINEERING</b> CIVIL ENGINEERING (612) 424-2481 LAND SURVEYING 1133 WEST MILL ROAD EVANSVILLE, INDIANA 47710